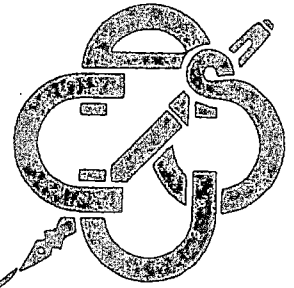


**Concordia  
University  
Students'  
Association inc**

**Association des  
Etudiants et Etudiantes  
de l'Université  
Concordia inc**



☐ Loyola Campus Centre 7141 Sherbrooke St. W. Montreal H4B 1R6

(514) 848-7440

☐ Sir George Williams Campus 1455 De Maisonneuve Blvd. W. Montreal H3G 1M8 (514) 848-7474

## **CONCORDIA UNIVERSITY STUDENTS' ASSOCIATION**

### **ONE HUNDRED AND TWENTY-EIGHTH MEETING OF THE BOARD OF DIRECTORS HELD ON WEDNESDAY, OCTOBER 2, 1991 AT 6:30 P.M. IN AD-131, LOYOLA CAMPUS**

#### **1. CALL TO ORDER**

Chairperson, Jarno Makkonen, called this meeting to order at 7:00 p.m.

#### **2. ROLL CALL**

##### **PRESENT**

##### **CO-PRESIDENTS**

Eleanor Brown  
Charlene Nero

##### **COMMERCE**

Thomas Dowd  
Jennifer Kalman (7:05 p.m.)  
Nick Kaminaris  
Kerry Schacter  
Marc Tisseur

##### **ARTS AND SCIENCE**

Jennifer Dang-Tran (7:10 pm)  
Sophie Desjardins  
Hemani Farias  
Heidi Modro  
Jamie Ross  
Michael Spowart  
Phil Toone (7:10 p.m.)  
Esther Vise

##### **ENGINEERING**

Frank Pathyil  
Dave Dichmann

**Wednesday, October 2, 6:30 P.M.**

**ABSENT**

**Arts and Science:** Kathy Fretz, Christine Legault, Victoria Rodriguez, Etoile Stewart (w/r)  
**Commerce:** Robin Chabot (w/r), Jimmy Elenakis (w/r), Esmeralda Florio  
**Fine Arts:** Cathy Balsitis, Kellie Coppin (w/r)  
**Engineering:** Kieran Hackett

**3. APPROVAL OF AGENDA**

**BE IT RESOLVED THAT the Agenda of the 128th Meeting of the Board of Directors Be Approved.**

Moved by: H. Farias  
Seconded by: N. Kaminaris

Amendments:

N. Kaminaris said that there was an item that was omitted to be put on the agenda, that being, item 6.11: CUSA Handbook. He also suggested moving item 7.1 to item 5.3, since this agenda item is directly linked with item 5.2. The Chair said that he preferred not to put this item under 5.3 since category 5. explicitly deals with reports. N. Kaminaris suggested that this item be put under 5.5-Pressing Business and all other items be moved up.

H. Farias suggested moving item 6.4 to item 6.1 since the V.P. Programming cannot attend the whole meeting.

C. Nero pointed out that proper notice was not given to all members of the Steering Committee regarding the meeting held last Wednesday. She also said that calling a Steering Committee meeting a half hour beforehand, does not constitute a properly Steered meeting.

**VOTE ON MOTION TO AMEND THE AGENDA**

**UNANIMOUS**

**4. APPROVAL OF MINUTES**

**4.1 • Approval of Minutes of the 126th Meeting of the Board of Directors.**

Moved by: F. Pathyil  
Seconded by: S. Desjardins

M. Spowart pointed out that on P. 11 of the 126th minutes, item 6.4 does not state if the motion was tabled or not. The Chair replied that this motion was indeed tabled.

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- Approval of minutes of the meeting held on November 16, 1990.

Moved by: H. Farias

Seconded by: F. Pathyil

The Chair said that the reason that these minutes came up for approval now is due to having being ceased last year and hidden away in a safe in the CUSA office for a period of eight months. He also said that it was asked of the Chair to follow up on what had happened with these minutes at the September 11th meeting and have been duly prepared and brought forth to the Board for completion of the corporate records.

M. Spowart asked if it is legal to approve minutes from last year that this Board has no jurisdiction over. The Chair replied that if directors have a problem approving these minutes they can abstain from approving them.

M. Spowart asked to know why these minutes have taken precedence over this year's Board minutes considering that minutes of the last two meetings have not been distributed. The Chair replied that one has to follow the process whereby the oldest set of minutes are prepared first.

H. Farias said that directors can check up on these minutes since the tapes still exist and that it is important to note that by approving minutes, the Board is following up on its policy of informing students of the affairs of the association.

N. Kaminaris asked to know which of these motions apply to this year's Board. The Chair replied that the first item, resolution 5.2.2 and 5.2.1 would still be binding on this Board and that resolution 5.2, 5.3 and resolution 5.4 would not be binding.

H. Farias said that resolution 5.2.2 and 5.2.1 does not apply because these changes end with the changeover of the Board as well and has to be re-interpreted this year. The Chair disagreed and said that the Constitutional amendment is an interpretational amendment.

**VOTE ON MOTION**

8/1/8

**CARRIED**

## **5. REPORTS**

### **5.1 Co-Presidential Report**

E. Brown made an addition to the report, whereby a \$125,000 aid-bursary fund has been set up and that the deadline for applications is this Friday. H. Farias suggested that the Co-Presidents write a letter asking for an extension of one week.

C. Nero said that her efforts have been unsuccessful in finding out how many people have actually managed to take advantage of this bursary set-up. She also said that she spoke to the International Student Officer who said that very

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few people have had the chance to apply.

E. Brown extended an invitation to all directors to drop by and introduce themselves to the new Comptroller, Dawne MacDonald.

N. Kaminaris said that he was informed from certain members from the Board of Governors that members from the Alumni Association did not approve of the handbook. E. Brown replied that she received a letter from the Alumni Association stating that they did not like the handbook.

## 5.2 Attendance Review Committee

S. Desjardins said that the committee met this morning and put together the report distributed to the directors.

H. Farias asked to know what procedures the committee followed in giving C. Legault an attendance warning. S. Desjardins replied that this warning was a reminder to C. Legault that she had consumed a lot of absences during the summer and to bring this to her awareness for the schoolyear. H. Farias said that procedural approval from this Board is required beforehand.

H. Farias asked to know how a meeting that was held today brought forth all these responses presented in the report. S. Desjardins replied that she had received all the responses beforehand and that the committee met today. She also said that the Secretary provided her with the response from Registrar's regarding the status of directors as students in the University and obtained a copy of the attendance sheet with which the committee compiled the report. S. Desjardins further added that the five names on the report of those who barely attended any meetings will be called before the Commission. H. Farias said that the committee should not have released the names of the individuals who are not registered at this time.

M. Spowart commended the committee for its efforts and said that delinquency of duties with respect to attendance should be included in the report.

J. D. Tran asked to know why the names of the individuals have been released. The Chair replied that the origin of the information came from Registrar's which was a request done through the Administrative Assistant. J. D. Tran further asked to know what the point was in releasing the names in the report. M. Tisseur replied that according to the CUSA Constitution, all directors have to be registered students and that this information has to be supplied before the dates of the by-elections are set.

H. Modro urged all the directors not to vote for the adoption of this report since sanctions shouldn't be put on people to attend meetings. She also said that it is incorrect to call directors in for summer absences. Heidi further questioned the necessity of such accountability to this detail. S. Desjardins replied that she asked the secretary for any justifications she may have received earlier this morning. H. Modro replied that she against this punitive action.

M. Spowart said that the committee has a mandate to review attendance of directors and that provisions exist for arrival and departure times. He also said that rules are provided in the by-laws for committees to follow.

P. Toone said that it appears that there is a communication problem and that it is the CRO's mandate to check the status of directors. He also said that the tone of the report is wrong and that it has gone beyond the mandate of the committee.

J. D. Tran asked to know if the names of the directors released in the report implies that they will be removed from office. S. Desjardins replied in light of a by-election coming up it has to be determined how many seats will be vacant.

C. Nero said that it is a Federal Government Act against publicizing information of this nature. She further questioned what the attendance was of the five people who are listed in the report and if the directors who are being asked to meet with the commission had more than five justified absences during the summer, since there were only five meetings in the summer. S. Desjardins replied that a (w/r) was counted as one (1) point and an absence as one and a half (1.5) and that these points were summed up to yield the total. C. Nero read section 4.5 f) of the constitution which stipulates this policy of absences and not points. S. Desjardins gave the breakdown of absences of the five individuals concerned: C. Martin had four (w/r) and then she resigned, J. T. Tran had one (1) absence, V. Rodriguez had four (4) absences, C. Balsitis was absent all summer and E. Florio resigned today.

H. Farias said that the term "registered" is being interpreted differently than it is supposed to be. He also questioned the case whereby a student decides mid-way into the semester that he/she will drop his/her courses and is consequently not a "registered" student. Hernani further asked to know if the committee will continue to review the directors' registration patterns after the drop deadline. He also said that there is nothing barring a student from not registering for the Fall and registering for the Winter session and still being a member. Hernani also added that the committee has to make a separation between registered in classes and being "de-registered".

S. Desjardins apologized to the Board and said that she wrote the report based on what she believed the mandate of the committee was.

E. Brown thanked the committee for its efforts. H. Modro added that it is nice to see that there are directors who actually do care but that there is something very seriously wrong with the policy and requires a serious review.

M. Spowart said that H. Farias' suggestions are not the committee's mandate and asked to know if the Board is prepared to change the mandate of the committee.

It was agreed upon that the report would be withdrawn and that a revised copy would be presented to the Board of Directors.

**5.5 PRESSING BUSINESS**

**Removal of Directors**

**In accordance with Article 3.1 of the CUSA Constitution, students no longer registered at this university be removed from the Board of Directors.**

Moved by: F. Pathyil  
Seconded by: N. Kaminaris

N. Kaminaris said that in order to be a member of this association one has to be student registered in accordance with Article 3 of the Constitution.

**MOTION TO AMEND**

**BE IT RESOLVED THAT the Board of Directors accept the resignations of E. Florio and C. Martin.**

Moved by: H. Farias  
Seconded by: E. Vise

The Chair requested a five minute recess.

(Time: 8:10 p.m.)

The Chair informed the directors that H. Farias' amendment is in fact an addition to the original motion.

H. Modro said that part one of this motion will create a problem, since the Board of Directors does not have the authority to impeach anyone. She also said that Judicial Board is usually brought in to intervene in such matters and that part one of this motion should be deleted.

C. Nero read Article 18.2 of the Constitution and said that it still applies.

F. Pathyil said that the idea behind this motion is that students who are no longer taking courses should not be representing students.

M. Tisseur said that duly registered students should be given a priority in holding seats on the Board of Directors.

**MOTION TO DIVIDE THE QUESTION AND DEAL WITH SECOND HALF FIRST**

Moved by: H. Farias  
Seconded by: S. Desjardins

**VOTE ON MOTION TO DIVIDE THE QUESTION  
AND DEAL WITH THE SECOND HALF FIRST**

**13/0/3 CARRIED**

**Motion:**

**BE IT RESOLVED THAT the Board of Directors accept the resignations of C. Martin and E. Florio.**

**VOTE ON MOTION**

**UNANIMOUS**

**Motion:**

**In accordance with Article 3.1 of the CUSA Constitution, students no longer registered at this university be removed from the Board of Directors.**

C. Nero said that the first part of this motion is out of order as it would require a Constitutional Amendment to empower this Board to impeach anyone and consequently the Constitution overrules the spirit of this motion.

The Chair said that in accordance with Robert's Rules of Order which forces one to respect by-laws and other procedural regulations of the body that he is presiding over, this motion does not follow procedure in the Constitution. He further added that the first part of this motion has been ruled out of order.

**6. OLD BUSINESS**

**6.1 Ratification of V.P. Programming**

**BE IT RESOLVED THAT Lana Le Fort be ratified as Vice President Programming for the 1991-92 term.**

Moved by: P. Toone  
Seconded by: J. D. Tran

L. Le Fort introduced herself and said that she is a mature student and has been active within Concordia itself. She also said that she has been working on Programming since August and has been doing a good job considering she hasn't gotten a job description. Lana said that Native Awareness week is going on this week and that it has been very successful so far.

The Chair asked to know who was in charge of the interviewing committee for this appointment. C. Nero replied that P. Toone, J. D. Tran and herself conducted the interviews for this position.

N. Kaminaris asked to know how many applicants there were. C. Nero replied that three people applied, among

them T. Pratt, who became the Orientation Co-Ordinator.

F. Pathyil asked L. Le Fort what her plans for the year are. L. Le Fort replied that she would like to do something constructive that will involve the whole university community and do away with winter carnival. She also said that she is looking into holding literary, drama and music events.

M. Spowart asked to know if L. Le Fort has any specific agenda she is working with. L. Le Fort replied that she is interested in hearing from the students themselves and takes input from them.

M. Spowart asked to know why L. Le Fort is assuming that CUSA took a stand on the 350th issue and consequently why 10% of the Programming budget went towards Native Awareness Week. L. Le Fort replied that she combined four groups' requests which had planned to hold a Native Awareness Week.

H. Farias asked to know if L. Le Fort intends on working with CUSAcorp in putting together a winter carnival and beer bashes and if she had any role in writing the introduction of the handbook. L. Le Fort replied that she would hope to work together with CUSAcorp in planning some of the events and that she had no involvement in writing the introduction of the handbook.

N. Kaminaris asked to know if L. Le Fort's portfolio includes Academic events and if she is planning to hold any. L. Le Fort replied that an academic group can submit a proposal to her at any time to have an academic event or speaker come in.

J. Brown asked to know what percentage of L. Le Fort's budget is actually going towards speakers. L. Le Fort replied that she hasn't received the printout of her budget yet.

#### MOTION TO CALL THE QUESTION

Moved by: H. Farias

Seconded by: F. Pathyil

VOTE ON MOTION TO CALL THE QUESTION

7/4/5

FAILED

H. Farias asked to know what L. Le Fort's immediate plans are after Native Awareness Week has been completed. L. Le Fort replied that on Friday of this week, Maria's Story is being presented. She also said that there is an event this coming Saturday on Women in Economics and the Sparklers who wish to bring in some speakers.

H. Farias asked to know if there is a speakers committee within the university that allocates funds to various departments towards speakers and if L. Le Fort is at all involved in setting up something for next year so that a continuous involvement exists and CUSA won't have to absorb all of the cost for speakers. L. Le Fort replied that she will look into this issue.

VOTE ON MOTION

16/0/1

CARRIED

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E. Brown suggested moving item 7.2 up to item 6.2

**MOTION TO AMEND THE AGENDA**

Moved by: E. Brown

Seconded by: E. Vise

N. Kaminaris said that the Board needs to define the mandate of Judicial Board first before appointments can be made.

E. Brown said that a Judicial Board is needed immediately in order for club constitutions and other business to be performed.

M. Spowart said that he would like to see the Committee of the Whole meet and create a mandate before appointing Judicial Board. He also said that Judicial Board should not have the breath of decision making that it has with respect to legal decisions that it does and that its mandate has over extended itself.

H. Farias said that he would like a blueprint drawn up for Judicial Board and approved by the Board of Directors before any members are appointed. He also said that if there is a backlog there is no reason why this Board cannot approve Constitutions since they come back to this Board for approval anyways.

C. Nero said that the problem with only arise when the Board of Directors makes a decision which is contentious and doesn't follow legal procedure. Charlene further added that without a Judicial Board, by-elections cannot take place and other business cannot be conducted.

F. Pathyil asked if it would be possible to move item 6.5 to position 6.3. E. Brown replied that she had no problems with this change.

M. Spowart said that it is unfortunate that two-thirds of the directors are not present since the only problem he has with appointing a Judicial Board is that it will be empowered to make decisions based on Constitution items 7.2A and 7.2B.

H. Farias suggested tabeling the appointments to Judicial Board until such time that it is properly constituted and reorganized.

**MOTION TO AMEND THE AGENDA**

**BE IT RESOLVED THAT** the next two agenda items are: Judicial Board: Committee of the Whole followed by Ratification of Judicial Board appointments.

Moved by: F. Pathyil

Seconded by: E. Vise

N. Kaminaris suggested making an amendment whereby a blanket motion be made for the meeting held on September 25th, 1991. C. Nero asked to know if minutes of this meeting have been prepared. The Chair replied that minutes for this meeting have not prepared but that he has extracted the motions that have been passed. C. Nero said that it is procedurally flawed to approve motions to a meeting where minutes have not been distributed.

**MOTION TO AMEND THE AGENDA**

**BE IT RESOLVED THAT MOTIONS PASSED AT THE SPECIAL MEETING HELD ON 25/09/91 BE APPROVED.**

Moved by: N. Kaminaris  
Seconded by: F. Pathyil

N. Kaminaris said that quorum was almost reached at this meeting and that the motions that were passed were credible motions.

H. Modro said that this motion is setting a dangerous precedence and that these motions are not binding since quorum was never reached.

(Time: 9:10 p.m.)

J. Ross suggested tabeling this motion until everyone has a chance to review the minutes.

**MOVE TO TABLE MOTION UNTIL THE NEXT MEETING**

Moved by: N. Kaminaris  
Seconded by: S. Desjardins

**VOTE ON MOTION**

**10/2/3**

**CARRIED**

The Chair suggested that since the required two-thirds majority is lacking that item 6.2 and 6.3 be tabled.

**6.3 Judicial Board: Committee of the Whole**

The Chair said that since there is no resolution for discussion, this item is only for open discussion purposes.

E. Brown explained that someone has to bring forth a motion to go into Committee of the Whole with a time limit.

It was unanimously agreed that this issue would consume twenty minutes.

**MOVE TO GO INTO COMMITTEE OF THE WHOLE**

Moved by: F. Pathyil

Seconded by: N. Kaminaris

**VOTE ON MOTION**

**15/1/0**

**CARRIED**

M. Spewart said that Judicial Board should not be addressing Constitution item 7.2A and 7.2B and that any changes in the Constitution and the by-laws should go through proper legal channels. He also said that Judicial Board should be a dispute mechanism between CUSA, its members, clubs and associations and not settling disputes of a legal nature and having jurisdiction over the Board of Directors.

P. Toone said that a non-elected group has the power to impeach elected individuals. He also said that Judicial Board should be subservient to this Board and that recommendations should be submitted as soon as possible.

C. Nero said that Judicial Board should be mandated to do research and investigation. She also said that it imperative that if Board takes away its Constitutional powers that they be delegated to another body.

H. Farias said that Judicial Board should act as an advisory body and that this Board should constitute a committee to come up with concrete changes and suggestions for Judicial Board. Hernani further added that interpretation of the Constitution should be done by a two-thirds majority of the Board of Directors and that no self regulation should exist for this body.

T. Dowd said that because Judicial Board is a Constitutional organ a legal problem may exist with having two Board of Directors. He also suggested scrapping Judicial Board from the Constitution and replacing it by a sub-committee of the Board of Directors. Tom further added that its mandate will hence be clarified by this proposed change.

K. Schacter said that Judicial Board should not be reduced to just an advisory body and that some sort of process of appeal has to exist. He also said that its powers should be limited and that they shouldn't have the power to impeach directors.

M. Tisseur said that an alternative resource for students to follow must exist if they disagree with the decisions of the Board of Directors.

N. Kaminaris said that two equally powerful groups are not needed within one association. He also said that a body isn't needed to annul the decisions of the Board of Directors since confusion tends to arise.

F. Pathyil said that precautions should be taken by the Board of Directors as to who it appoints to Judicial Board.

**Motion:**

**BE IT RESOLVED THAT** a sub-committee be set to study and recommend new structures for Judicial Board and its functions.

Moved by: N. Kaminaris

Seconded by: J. Ross

N. Kaminaris said that a lot of people are unsatisfied with the mandate of Judicial Board and that a committee could be set up to re-evaluate Judicial Board and bring forth recommendations to the Board of Directors.

J. Ross said that a committee should be set up to study and solicit ideas to determine if changes are necessary within Judicial Board.

H. Farias suggested that an amendment be made whereby this committee will review the appeal mechanisms within CUSA as a whole. There were no objections to this amendment.

P. Toone asked to know if this committee will be an open committee or not. N. Kaminaris replied that the committee will present options to the Board of Directors and that it is open to all those who are interested in attending.

**Amended Motion:**

**BE IT RESOLVED THAT** a sub-committee be set to study and recommend new structures for Judicial Board and its functions and also to study the appeal mechanism within CUSA.

**VOTE ON MOTION**

**UNANIMOUS**

**Motion:**

**BE IT RESOLVED THAT** \_\_\_\_\_ be appointed to this committee to review Judicial Board.

Moved by: H. Farias

Seconded by: F. Pathyil

C. Nero said that the committee's mandate is to make recommendations and bring proposals back to the Board of Directors.

**MOTION TO AMEND**

**BE IT RESOLVED THAT** \_\_\_\_\_ be appointed Chair of the open Judicial Board

review sub-committee to review Judicial Board.

Moved by: M. Spowart

Seconded by: P. Toone

(Time: 9:45 p.m.)

M. Spowart said that the Chair of this committee will be responsible for taking all the information and presenting it to this Board for review of all options.

H. Farias suggested appointing S. Desjardins as Chair of this committee. S. Desjardins accepted the position of Chairperson of this committee.

**Motion:**

**BE IT RESOLVED THAT S. Desjardins be appointed Chair of the open Judicial Board review sub-committee to review Judicial Board.**

**VOTE ON MOTION**

**16/1/0**

**CARRIED**

C. Nero suggested that item 7.2 be moved up as the next agenda item.

**MOTION TO AMEND THE AGENDA**

Moved by: C. Nero

Seconded by: P. Toone

C. Nero pointed out that two of the appointments to Judicial Board have sat through the entire meeting and that discussion should be at least brought forth.

**VOTE ON AMENDMENT**

**8/8/0**

**FAILED**


**9. ADJOURNMENT**

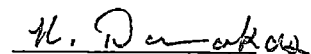
Moved by: H. Farias

Seconded by: D. Dichmann

This meeting was adjourned at 10:00 p.m.

**Wednesday, October 2, 6:30 P.M.**

  
J. Makkonen, Chairperson

  
H. Danakas, Secretary